

OFFICE OF THE GOVERNOR

BOB RILEY
GOVERNOR



ALABAMA DEPARTMENT OF ECONOMIC
AND COMMUNITY AFFAIRS

BILL JOHNSON
DIRECTOR

STATE OF ALABAMA

REQUEST FOR PROPOSALS (RFP)

PROJECT TITLE: COMMISSIONING STANDARDS FOR K-12 SCHOOLS

PROPOSAL DUE DATE: Proposals received after 5:00 p.m., Central Standard Time (CST) on November 12, 2008, will not be accepted or considered.

E-MAILED AND FAXED PROPOSALS WILL NOT BE ACCEPTED.

TIME PERIOD FOR CONTRACT: A fixed-price contract will be negotiated with the successful Offeror. All tasks will be completed no later than June 29, 2009.

CONTRACTOR ELIGIBILITY: This procurement is open to individuals or firms that satisfy the minimum qualifications stated herein and that are available for work in the State of Alabama, USA.

CONTENTS IN THE REQUEST FOR PROPOSAL:

- I. Purpose
- II. Definitions
- III. Deliverables
- IV. Qualifications
- V. Budget
- VI. Submission of Proposals
- VII. Selection
- VIII. Professional Services Contract with the Department
- IX. Qualification to do Business in Alabama
- X. Legislative Contract Review

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS
ENERGY DIVISION

REQUEST FOR PROPOSALS (RFP)
COMMISSIONING STANDARDS FOR K-12 SCHOOLS

I. PURPOSE

The Energy Division of the Alabama Department of Economic and Community Affairs solicits proposals from qualified individuals or firms interested in developing building commissioning standards for K-12 schools in Alabama, including all necessary support services (see “Deliverables”). This RFP is issued in accordance with the requirements of Section 41-16-72, Code of Alabama 1975. This RFP is not an offer to contract, but seeks the submission of proposals from interested professional service providers that may form the basis for negotiation of a professional service contract. Specific terms and requirements in this RFP may be waived or modified by the Department as it deems necessary or appropriate. The Department has no liability for any costs incurred by a prospective provider for the preparation and production of a proposal or for any work performed prior to the issuance of a contract.

This project is not intended to provide government assistance/subsidies for commissioning, but rather will focus on developing building commissioning standards for K-12 school facilities and providing training on the resulting standards for key stakeholders at a series of workshops to be conducted prior to June 29, 2009.

The Department reserves the right to reject any or all proposals and to solicit additional proposals if that is determined to be in the best interests of the State of Alabama.

II. DEFINITIONS

“Acceptable Alternative” shall refer to an offeror-proposed option that the Department considers satisfactory in meeting a requirement. The Department, at its sole discretion, will determine if the proposed alternative meets the intent of the original requirement.

“Contract” shall refer to the RFP, the Response, Contract document, all schedules and exhibits, all statements of work and all amendments awarded pursuant to this RFP.

“Contractor” shall refer to the successful Offeror to whom a contract will be awarded, to provide the services described herein.

“Director” shall refer to the Director of the Alabama Department of Economic and Community Affairs.

“Offeror” shall refer to an individual, company, organization or entity submitting a proposal in response to this RFP.

“Project Team” shall refer to the K-12 Commissioning Standards Project Team composed of volunteer stakeholders and organized by the Department for the purposes of this project.

“Response” shall refer to the written proposal submitted by an Offeror to the Department in accordance with this RFP. The Response shall include all written material submitted by the Offeror as of the date set forth in the RFP schedule or as further requested by the Department.

“RFP” shall refer to this Request for Proposals.

“Department” shall refer to the Alabama Department of Economic and Community Affairs (ADECA), Energy Division.

III. DELIVERABLES

The ADECA Energy Division is seeking a qualified individual or firm to develop detailed building commissioning standards in accordance with ASHRAE 90.1-2004 and general guidelines proposed by the Project Team for K-12 schools and to provide training on the resulting standards for key stakeholders at a series of five (5) geographically distributed workshops to be completed within the state prior to June 29, 2009.

A successful Contractor must provide satisfactory services in a timely and cost-efficient manner, including, but not limited to:

A. Development

1. Develop K-12 Building Commissioning Standards Manual or Guidelines in accordance with ASHRAE 90.1-2004, and incorporating general guidelines of the Department and Project Team. General and specific requirements for the document include:
 - a) Clarification of the ASHRAE 90.1-2004 commissioning requirements with regard to K-12 schools and specification of the actions schools should take to meet the minimum requirements.
 - b) Recognize the financial abilities, sophistication and facility complexity of all school districts affected. The standard should allow for a minimum level of compliance to meet ASHRAE 90.1-2004 standards (new construction over 50,000 sq ft.), but also provide for more complex levels of commissioning for those schools with a greater need or desire to exceed the minimum standards.
 - c) Draw focus to critical elements that are known to deliver a cost-effective return on the cost of commissioning.

- d) Outline commissioning agent responsibilities and address common owner misconceptions.
 - e) Recommend that commissioning agents hired to satisfy standards meet a minimum qualification of Building Commissioning Association (BCA) certification.
 - f) Emphasize the importance of collaboration during the building design phase and provide a listing of activities in which the owner should be involved.
 - g) Recommend development and documentation of the Owner's Project Requirements (OPR) with the commissioning agent and the owner as early as possible in the commissioning process.
2. Participate in a minimum of three (3) meetings with Department staff and/or Project Team
 3. Prepare a draft outline of proposed document for Project Team review
 4. Prepare preliminary draft of document for Project Team review at approximately fifty percent (50%) completion
 5. Provide final draft of document for Project Team review and approval prior to final printing
 6. Provide ten (10) printed copies and one electronic copy in PDF format to the Department upon final approval

B. Dissemination

1. Work with Department staff and the Project Team to schedule, develop and present stakeholder training for five (5) workshops to be held in geographically distributed locations of the state. Workshops must be completed before June 29, 2009.
2. Provide the Department with any tools and resources necessary to present and deliver standards to stakeholders beyond contract period.

C. Timeline for Completion

Offeror should provide a detailed proposed timeline for the completion of all items in A and B above.

A fixed-price contract negotiated with the successful Offeror will be entered into for a specified time frame ending no later than June 29, 2009.

The quality of service will be subject to review by the Department at any time.

The Department intends to award only one (1) Contract, and only one (1) Contractor will be identified via this procurement. **This does not preclude a Contractor from sub-**

contracting elements of the deliverables; however, it is required that an Offeror fully disclose sub-contracting plans within the written proposal.

Any contract awarded as a result of this procurement is contingent upon the availability of funding.

IV. QUALIFICATIONS

Provide a description of the qualifications and capabilities of the Offeror to provide the Department with comprehensive K-12 Commissioning Standards and training services as described in this RFP. The following information should be included:

Experience

- Provide a description of Offeror's experience with regard to building commissioning

Staff

- Provide brief statements of qualifications for key staff who will be working on this project
- Provide information concerning engineering licenses, registrations or applicable professional affiliations
- Include name, title and contact information for the individual who will serve as project manager

V. BUDGET

The successful Offeror will be required to provide a proposed budget including hourly rates, proposed fees, etc. Scope of services will be negotiated with the successful Offeror and Attachments A and B, Budget and Budget Narrative will be prepared and submitted by successful Offeror upon completion of negotiations.

VI. SUBMISSION OF PROPOSALS

Costs of preparing or presenting a Response to this RFP will not be eligible for reimbursement.

Offerors should submit proposals as follows:

- One (1) hard-copy original with original authorized signature
- One (1) electronic copy on CD-ROM in a commonly-available electronic file format, such as Microsoft Word or Adobe PDF

The proposal must include a completed Vendor Disclosure Statement, described in Section X of this RFP.

All materials submitted in response to this solicitation become the property of the Department. The Department has the right to use any of the ideas presented in any material offered. Selection or rejection of a response does not affect this right.

Proposals must be received no later than 5:00 p.m., Central Standard Time (CST), on November 12, 2008, at the following address:

By courier:

ADECA – Energy Division
Mailroom – Room 404
401 Adams Avenue
Montgomery, Alabama 36104

By mail:

ADECA Energy Division
Post Office Box 5690
Montgomery, Alabama 36103-5690

Proposals received late for any reason will not be accepted. Proposals will not be accepted by facsimile or electronic transmission.

The Department reserves the right to contact an Offeror for clarification of its proposal.

The RFP Coordinator is the sole point of contact at the Department for this procurement. All questions regarding this RFP should be submitted in writing to the RFP Coordinator at:

Bill Babington, Section Chief
ADECA – Energy Division
Post Office Box 5690
Montgomery, Alabama 36103-5690

Or electronically to:

bill.babington@adeca.alabama.gov

Questions and answers deemed by the Department to be relevant to all Offerors will be posted on the ADECA-Energy Division website (www.adeca.alabama.gov/energy) along with the original RFP.

VII. SELECTION

Proposals will be evaluated upon the contents of the proposal, information received from other sources and public knowledge. During the evaluation process, some respondents may be requested to make oral presentations. Upon review and evaluation of all

proposals, the Department will make an Offeror recommendation to the Director, who will select the Offeror determined to best meet the needs of the Department. Upon selection of the Contractor, the Department may initiate negotiations for contract terms and conditions, including fees. All proposals received in Response to this RFP may be rejected and the Department may solicit additional proposals.

Selection will be based upon the following criteria:

- 1) Understanding of contract requirements
 - Completeness of Response to RFP
 - Detailed Response to each task, including time frames, Deliverables (as defined in Section III) and costs
- 2) Offeror's range of services available
 - Demonstrated capability to perform the requested services
 - Demonstrated expertise in building commissioning practices
- 3) Administrative, management and staffing
 - Ability to coordinate with Department staff and the project team
 - Capability of providing the adequate number and quality of staff members to accomplish tasks in a timely and quality manner
 - Explanation of whether/how additional subcontractors would support project work
- 4) Offeror's qualifications and experience
 - Demonstrated industry knowledge
 - Ability to provide satisfactory information regarding qualifications and professional experience for key staff assigned to this project
 - Capability and willingness to provide evidence of company's financial stability, if requested
- 5) Time line for project Deliverables (as defined in Section III)

VIII. PROFESSIONAL SERVICES CONTRACT WITH THE DEPARTMENT

The professional service provider selected must enter into a written contractual agreement with the Department. The terms and conditions of such an agreement will be subject to review and approval by legal counsel for the Department.

IX. QUALIFICATION TO DO BUSINESS IN ALABAMA

Should a foreign corporation be selected to provide professional services in accordance with this RFP, it must be qualified to transact business in the State of Alabama in accordance with Section 10-2B-15.01, et seq., Code of Alabama (1975), and possess a Certificate of Authority issued by the Secretary of State at the time a professional services contract is executed. For the entire term that the contract is in effect, the selected

contractor must continuously be in good standing with the State of Alabama and with any political subdivisions thereof which have jurisdiction over the contractor's operations.

X. LEGISLATIVE CONTRACT REVIEW

Any professional services contract resulting from this RFP is subject to review by the Contract Review Permanent Legislative Oversight Committee in accordance with Section 29-2-40, et seq., Code of Alabama (1975). This process requires a provider to submit a completed Vendor Disclosure Statement, which is available at the website of the Alabama Attorney General:

http://www.ago.alabama.gov/documents/vendor_disclose_fill.pdf.

Successful Offeror must be available for appearance before the Committee, at Offeror's expense, if the Department deems appropriate.

**PROJECT BUDGET
ATTACHMENT**

Cost Categories	Project Award Amount	Nonfederal Contribution	Total Project Amount
PERSONNEL	\$	\$	\$
FRINGE BENEFITS	\$	\$	\$
SUPPLIES & MATERIALS	\$	\$	\$
CONTRACTUAL	\$	\$	\$
TRAVEL	\$	\$	\$
EQUIPMENT	\$	\$	\$
OTHER	\$	\$	\$
INDIRECT COST	\$	\$	\$
	_____	_____	_____
TOTAL	\$	\$	\$

PROJECT BUDGET NARRATIVE

Please provide the following information to explain the estimated costs for the project budget. Attach additional sheets as needed.

- 1) **Personnel:** List program personnel by function (e.g., program coordinator, engineer, secretary, student aide, etc.) Show the salary of each person and the percentage of time that each person will spend on the project. (Example: Project Director, annual salary \$40,000, 75% of time to be spent on the project.) Personnel may be included if the Offerer's employees will be installing the improvements.
- 2) **Fringe:** If fringe benefits are estimated as a percentage of personnel costs, give percentage. List items included in fringe and % amount for each respective item included. (Example: Fringe rate is 25% of personnel cost as follows: FICA 7.65%, Retirement 6.77%, medical \$400/month.)
- 3) **Supplies & Materials:** List estimated cost of supplies and materials. Supplies include general office supplies, computer supplies, postage charges and freight charges. Materials include general project materials, e.g., caulking, weather stripping, and general project improvements, e.g., doors, windows.
- 4) **Contractual:** List categories of services to be contracted with outside agencies or for professional services. Note that written subcontracts must be obtained to engage these services.
- 5) **Travel:** ADECA-Energy Division will reimburse the written travel rate adopted for your agency or the State of Alabama travel rate, whichever is more restrictive. Attach a copy of your written travel rate adopted for your agency if you plan to use your rate. The state travel rate is as follows.
 - a. Overnight per diem is set at the following rate: \$75.00 per day
 - b. The single day meal allowances are set at the following:
 - c. A \$11.25 meal allowance is allowed if a trip is from 6 to 12 hours duration.
 - d. A \$30.00 meal allowance is allowed if a trip exceeds 12 hours duration but does not involve an overnight stay.
 - e. If a person in travel status has been stationed at the same location for two consecutive months, the \$75.00 per diem is decreased to \$56.25.
 - f. The mileage rate paid to persons traveling in privately owned vehicles on official business is 58.5 cents per mile as of July 1, 2008. When calculating the amount to be reimbursed, all mileage listed on an expense account must be totaled and then multiplied by 58.5 cents, with odd amounts rounded to the nearest cent. (Example: 111 miles X \$.585 = \$64.935 = \$64.94)
- 6) **Equipment:** Provide a description of the equipment, cost, and reason why it is necessary to purchase the equipment. Equipment is defined as tangible, non-expendable property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. (Note: leased or rented equipment should be listed under the "Other" category.)
- 7) **Other:** List other costs including: printing, graphics, telephone, rent/lease, maintenance, workshop fees, computer services, and advertising.
- 8) **Indirect:** ADECA-Energy Division will reimburse indirect costs up to 25% of the Modified Total Direct Costs (MTDC) items 1-7, except 6 (ADECA-ENERGY DIVISION DOES NOT REIMBURSE INDIRECT COSTS ON EQUIPMENT PURCHASES). Attach a copy of your indirect cost rate agreement if you are showing indirect costs on your budget.